IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12/B
OM
4/8/03

In re PATENT APPLICATION OF

Paul Chinn

Group Art Unit: 1644

Application Serial No. 09/628,186

Examiner: David Saunders

Filed: July 28, 2000

Title: KIT FOR RADIOLABELING LIGANDS AND YTTRIUM-90

March 28, 2003

* * * * *

REPLY PURSUANT TO 37 C.F.R. §1.111

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Office Action [Non-Final Rejection] dated October 28, 2002, please amend the above-identified application as follows.

In the Specification:

Please replace the paragraph beginning at page 14, line 3, with the following rewritten paragraph:

B1

Copending applications 09/259,337 and 09/259,347, co-owned and submitted concurrently herewith, disclose binding assays which may be used to assess the percent binding affinity and immunoreactivity of conjugates after labeling if desirable. It should be stressed that, although no further purification is required after the labeling methods of the present invention, a TLC-based assay to verify the level of radioincorporation should always be performed so as not to jeopardize the health of the patient. Such an assay can be performed in about 3-4 minutes, and should not significantly affect the stability or efficacy of the radiotherapeutic.

In the Claims:

Please cancel claim 19.

Please replace claim 1 with the following amended claim 1:

1. (Amended) A method for radiolabeling a chelator-conjugated protein, ligand or peptide with a therapeutic radioisotope for administration to a patient comprising

B2

(i) mixing the chelator-conjugated protein, ligand or peptide with a solution comprising the radioisotope or salt thereof, and

(ii) incubating the mixture for a sufficient amount of time under amiable conditions such that a radiolabeled protein, ligand or peptide having sufficient purity and binding specificity, and having a specific activity of at least about 5 mCi/mg, is achieved such that the radiolabeled protein, ligand or peptide may be administered directly to the patient without further purification.